

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED
May 17, 2012

No. 11-20390
Summary Calendar

Lyle W. Cayce
Clerk

RODNEY EARL WILLIAMS,

Plaintiff-Appellant,

versus

RICK THALER,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
No. 4:11-CV-1680

Before REAVLEY, SMITH, and PRADO, Circuit Judges.

PER CURIAM:*

Rodney Williams, Texas prisoner # 759125, proceeding *pro se* and *in forma*

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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pauperis (“IFP”), appeals the dismissal, as frivolous, of his 42 U.S.C. § 1983 complaint. He has failed to provide argument that addresses the district court’s reasons for dismissing. *See* FED. R. APP. P. 28(a)(9). Where an appellant does not identify error in the district court’s analysis, it is the same as if he had not appealed at all. *Brinkmann v. Dall. Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Although *pro se* briefs are afforded liberal construction, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), even *pro se* litigants must brief arguments to preserve them. *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). Williams’s failure to address the basis of the dismissal thus constitutes an abandonment of his claims.

The appeal is frivolous and is therefore DISMISSED. *See Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2. The dismissal of this appeal counts as a strike for purposes of 28 U.S.C. § 1915(g). *See Adepegba v. Hammons*, 103 F.3d 383, 387-88 (5th Cir. 1996). Williams is warned that if he accumulates three strikes, he may not proceed IFP in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury. *See* § 1915(g). Williams’s motion for appointment of counsel is DENIED.